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47. A wound dressing comprising in combination
- (i) a first wound contact layer which comprises alginate or a material which promotes clotting via agglutination of red cells, and wherein said first layer is a woven, non-woven or knitted fibrous material;
  - (ii) a second layer of greater hydrophilicity than the first layer applied to said first wound contact layer, wherein said second layer is a woven, non-woven or knitted fibrous material; and,
  - (iii) a breathable film associated with said first wound contact layer and said second layer having an increased MVTR capability in the presence of liquid water as compared to moisture vapor alone.
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#### REMARKS

Claims 19-22 and 24-39 are pending and stand rejected. Claims 19-22 and 24-39 stand rejected. Claims 40-47 have been added. Reconsideration is respectfully requested.

#### Objections to Specification

The Examiner has requested that Applicant add section headings, that, "Applicant must use American spellings, rather than the English versions" and that a new title be supplied. Applicant will make the appropriate changes upon receiving a Notice of Allowance or an indication of allowable subject matter. Due to the number of changes and the new rules under Rule 1.121 for amending the specification, Applicant plans to submit a substitute specification, one copy which will have the revisions marked and one copy which will be a clean copy.

#### Rejections under 35 U.S.C. § 102 and §103 in view of Ansell

Claims 19, 24, 30-31, 33-35 and 37-38 stand rejected under 35 U.S.C. §102 in view of Ansell, U.S. Patent No. 5,183,664. Claims 20-22, 27-29, 32 and 36 stand rejected under 35 U.S.C. §103(a) in view of Ansell. Applicant respectfully traverses.

Applicant respectfully submits that Ansell teaches and suggests only a two-layer dressing as opposed to the three layer structure defined in claim 19 as amended and its dependent claims. More particularly, the Ansell dressing comprises a backing layer provided with a continuous layer of a cross-linked gel adhesive. Ansell does not teach that *the dressing* have a contact layer containing calcium alginate. The Office Action cites to column 7, lines 9-17 allegedly to correspond to the claimed first wound layer.

Ansell suggest using alginate salts as an absorbent filling material; however, Ansell distinguishes between the dressing and the filling material. For cavernous wounds, “The wound cavity is first filled with an absorbent filling material before covering with the dressing.” (Column 7, lines 9-10).

Moreover, assuming arguendo that the “absorbent filling material” was equivalent to Applicant’s claimed first contact layer, Applicant submits that the hydrophilicity or absorbency of the “layers” in Ansell is the opposite of the claimed hydrophilicity and that Ansell teaches away from the present invention. Specifically, claim 19 requires, “a second layer of greater hydrophilicity than the first layer.” Restated, claim 19 requires that the second layer be more absorbent than the first layer. This functions to draw out excessive exudate from the wound for venting via the breathable film. The film is however such that, as the wound begins to dry-up during the healing process, the MVTR of the film decreases so that the wound remains moist to facilitate healing.

In contrast, Ansell teaches that, “The filling material absorbs wound exudate which reduces the risk of blister formation and leakage beneath the dressing when an unusually large amount of wound exudate is produced.” (Col. 7, ll.18-21). Ansell then states, “It is believed that the low upright MVTR of the dressing prevents the absorbent filling material from drying out and hence adhering to the granulating wound bed.” (Col. 7, ll.21-24). Thus the dressing in Ansell keeps excess moisture in the filling material which is next to the wound, while the present invention draws excess moisture away from the first contact layer and vents it.

Accordingly, Applicant submits that amended claim 19 and its dependent claims are not taught or suggested by Ansell.

Rejection under 35 U.S.C. §103 over Ansell in view of Wren

Claims 25, 27 and 39 stand rejected under 35 U.S.C. § 103(a) over Ansell in view of Wren. Applicant respectfully traverses. As explained above, Ansell does not teach or suggest all of the elements of the claimed invention and in fact teaches away from the claimed invention. The combination of Wren with Ansell still provides no such teaching or suggestion.

Rejection under 35 U.S.C. §103 over Laszio in view of Rasmussen

Claim 19 stands rejected under 35 U.S.C. § 103(a) over Laszio in view of Rasmussen. Applicant respectfully traverses.

Applicant submits that Laszio in view of Rasmussen neither teaches nor suggests the elements of the claimed invention. For example, Laszio only teaches a two layer wound dressing comprising “a semipermeable membrane and a biodegradable tissue interface.” (Col.1, ll.29-30).

Laszio mentions an optional “supporting and reinforcing permeable layer” between the two

layers, but does not discuss the support layer in detail. Laszio teaches that when the dressing is placed on the wound, the biodegradable layer “dissolves at a pre-determined rate” while “the semipermeable membrane controls the rate of water vapour transmission.” (Col. 2, ll.30-39). Laszio does not teach nor suggest the hydrophilicity of the layers as required by the claimed invention, and moreover, inherently functions, like Ansell, in the opposite manner from the claimed invention. Laszio’s biodegradable layer absorbs the exudant instead of the excess exudant being drawn off by Applicant’s claimed second layer.

Laszio in view of Rasmussen neither teaches nor suggests the claimed invention.

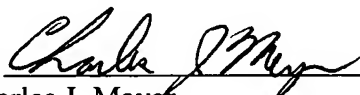
Applicant respectfully requests withdrawal of this rejection.

#### New Claims

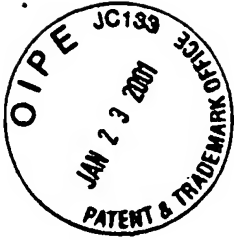
Claims 40-47 have been added and are believed to contain allowable subject matter.

Applicant submits that all claims are now in condition for allowance and action towards such is respectfully requested. If it would be helpful to this process, the Examiner is invited to contact Applicant's attorney at the telephone number listed below.

Respectfully submitted,

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ATTACHMENT

MARKED UP VERSION OF AMENDED CLAIM

19. (Amended Three Times) A wound dressing compris[es]ing in combination;
- (i) a first wound contact layer which comprises [calcium] alginate or a material which promotes clotting via agglutination of red cells,
  - (ii) a second layer of greater hydrophilicity than the first layer applied to said first wound contact layer, and
  - (iii) a breathable film associated with said first wound contact layer and said second layer having an increased MVTR capability in the presence of liquid water as compared to moisture vapor alone.